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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

DESIRE, GREGORY M

ART UNIT PAPER NUMBER

2625

DATE MAILED: 07/13/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/731,724

Applicant(s)

MICHIE ET AL.

Examiner

Gregory M. Desire

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8-11.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This is responsive to communication filed 4/2/04.

Response to Amendment

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Applicant has amended the claims to include a first and second management information enables accessing individual portions of the image data. This feature changes the scope of the previous rejection, therefore a new art rejection is provided. Regarding previously objected claims the examiner has found prior art. The examiner apologizes, however an art rejection has been provided.

Claim Objections

3. The following is a quotation of 37 CFR § 1.75 (a) are the basis of objection:

(a) The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.
4. Claim is objected to under 37 CFR § 1.75 (a) and (d) (1) as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery. The limitation management information enables accessing individual portions of the image data is unclear as related to the specification, page 20 lines 25-20 constitutes parts of the first and second management data. This limitation is unclear to the examiner because the specification constitutes (composed or make-up)

parts and the claims enable the accessing of parts. For the purposes of examination the examiner will interpret as recited in the specification and figure 11

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 6, 15-17, 20-21, 26 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Takayama (6,477,528).

Regarding apparatus and method claims 1 and 15 Takayama discloses,

First managing means (which reads on page management table, note fig. 5a, block 11) for generating first management information used to manage image data (note col. 6 lines 5-12, page management table generates management information used to manage information of each page (examiner interprets as image data); and

Second managing means (which reads on document management table managing means, note fig. 5b) for generating second management data used to manage the image data (note col. 6 lines 5-9 and 41-459, also manages the image data (documents)),

Wherein at least one of said first and second management information enables accessing of individual portions of the image data (examiner interprets as constituting of individual portions of the image data as specification fig. 11 (note fig. 2. Document A, b, c is interpreted as image file data and page data is interpreted as imaged data, document constitutes page data).

Regarding apparatus and method claims 2 and 16 Takayama discloses,

Wherein the image data are specified by said first management information (page data are specified by first hierarchical structure management information note col. 6 lines 11-40) out of an image file specified by said second management information (document information from the document management table generates hierarchical information form documents, which is need to generate page information (note col. 6 lines 41-64).

Regarding apparatus and method claims 6, 12, 20 and 30 Takayama discloses,

Wherein said first management information and second management information are stored in the image storing means in relation to the image data (note col. 6 lines 5-9, hierarchical management information are stored in database 111).

Regarding method claims 17, 21 and 26 Takayama discloses,

Wherein said method is stored in a computer program to be executed by said computer (note col. 3 lines 43-51).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3, 9, 27 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takayama in further view of Nakagawa (5,819,295).

Takayama discloses, a third managing mean for generating third management information (note fig. 5C folder management table) stored in an image storing means (database 11). However, Takayama is silent wherein management information represents a list of image files. Nakagawa teaches a third managing means, wherein data stored represent a list of image files (note fig. 1 block Library managing means in connection with col. 4 lines 13-16 and 55-65). Therefore it would have been obvious to one having ordinary skills in the art to teach a managing means wherein the data stored represents a list of image files in the system of Takayama as evidenced by Nakagawa. Takayama teaches first second and third managing means which include image data and image filed data. Nakagawa in the same filed of hierarchical filing system generates a list of image files stored making it possible to manage folders in unit of folders collected in hierarchical structure and keeping adjustability with different versions (note col. 2 lines 40-48).

5. Claims 4-5, 28-29, 34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takayama and Nakagawa in further view of Murata (6,06,161).

Regarding apparatus claims 4, 28 and 34

Takayama and Nakagawa are silent disclosing, wherein the image storing means comprises a storing medium removably mounted to said apparatus. However, Murata teaches image-storing means comprises a storing medium removably mounted to said apparatus (note col. 8 lines 1-6). Therefore it would have been obvious to one having ordinary skills in the art to teach an image storing means comprising a storing medium removable mounted to said apparatus in the system of Takayama and Nakagawa as taught by Murata. Takayama and Nakagawa system includes an external unit such as personal computer for printing or image processing (fig. 1 input device or scanner). Murata in the same field of endeavor teaches removably mounted medium a pc card installed in photocopying machine. This provides offline printing.

Regarding apparatus claims 5, 29, 35 and 36 Takayama and Nakagawa discloses,

Internal storing means built in said apparatus for writhing at least one of said first management, second management and third management information stored in the storing medium and holding said information until said storing medium has been removed (note col. 4 lines 14-23, retrieval module writes the management information stored in the database).

6. Claims 7-8, 10-11, 13, 18-19, 22-25 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takayama in view of Murata (6,06,161).

Regarding apparatus and method claims 7, 10, 13, 18, 22, 24 and 31

Takayama is silent disclosing, wherein the image storing means comprises a storing medium removably mounted to said apparatus. However, Murata teaches image-storing means comprises a storing medium removably mounted to said apparatus (note col. 8 lines 1-6).. Therefore it would have been obvious to one having ordinary skills in the art to teach an image storing means comprising a storing medium removable mounted to said apparatus in the system of Takayama as taught by Murata. Takayama's system includes an external unit such as personal computer for printing or image processing (fig. 1 input device or scanner). Murata in the same field of endeavor teaches removably mounted medium a pc card installed in photocopying machine. This provides offline printing.

Regarding apparatus claims 8, 11 and 32 Takayama and Murata discloses,

Internal storing means built in said apparatus for writhing at least one of said first management, second management and third management information stored in the storing medium and holding said information until said storing medium has been

removed (note Takayama col. 4 lines 14-23, retrieval module writes the management information stored in the database).

Regarding apparatus claims 19, 23 and 25 Takayama and Murata discloses,

Wherein said method is stored in a computer program to be executed by said computer (note Takayama col. 3 lines 43-51).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (703) 308-9586. The examiner can normally be reached on M-F (8:30-6:00) Second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire
Examiner
Art Unit 2625

G.D.
June 13, 2004



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